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JUDICIAL BRANCH

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**Testimony of Stephen N. Ment
Select Committee on
Veteran's Affairs Public Hearing
February 28, 2012**

Senate Bill 114, An Act Concerning Pretrial Diversionary Programs

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in regards to **Senate Bill 114, An Act Concerning Pretrial Diversionary Programs**. This bill alters eligibility requirements for veterans seeking to take advantage of Accelerated Rehabilitation more than once and makes changes specific to veterans for two other programs already in use – Supervised Diversion Program and the Pretrial Drug Education Program.

Currently, veterans who have entered the criminal justice system may participate in these programs if they qualify. While the Judicial Branch takes no position on section two of the bill, which allows veterans to apply for the Accelerated Rehabilitation program more than once, we would respectfully suggest that language mandating the Branch's Court Support Services Division (CSSD) to consult with the Department of Mental Health and Addiction Services (DMHAS), the United States Department of Veterans Affairs (USDVA), or the Department of Veterans' Affairs (DVA) in determining an applicant's eligibility for the Psychiatric Accelerated Rehabilitation program is unnecessary.

CSSD personnel have the necessary resources to determine whether a person is amenable to treatment and appropriate for admission into the applicable pretrial diversion program. This additional hurdle of coordinating program eligibility with

other state agencies is inefficient and time-consuming, leading to a potential delay in the start of treatment. It is also unnecessary, as CSSD staff regularly consult with DHMAS staff and can certainly consult with DVA employees as well.

In regards to the Pretrial Drug Education Program, the bill would allow a veteran to be referred to the USDVA or the DVA for placement in a comparable drug education program. We would respectfully note that, should this become law, the USDVA and the DVA would have to ensure timely access to treatment and education services for these defendants, and ensure that their providers complete and submit program participation and completion reports to the Court in accordance with established protocols.

Thank you for the opportunity to submit written testimony.